REMARKS

Claims 1-20 were filed in the original application.

Claims 1-20 are pending in the present application.

Claims 1-20 have been rejected.

Claims 1, 5-7, 9, 13-15 and 17 are amended herein.

Claims 1-20 remain in the present application

Reconsideration of the amended claims is respectfully requested.

As noted above, the Reply filed on February 10, 2004 was an early draft of the Reply, not the correct final draft. The Applicant again requests that the Reply mailed on February 10, 2004 be disregarded in its entirety and that this Substitute Reply be entered in its place. If any additional fees are due as a result of this mistake, the Commissioner is hereby authorized to charge any additional fees connected with this Substitute Reply to Deposit Account No. 50-0208.

In Sections 2 and 3 of the November 10, 2003 Office Action, the Examiner rejected Claims 5-7 and 13-15 for reciting the limitation "said second controller." The Examiner asserted that this limitation had insufficient basis. The Applicant has amended Claims 5-7 and 13-15 to correct these antecedent basis problems.

In Sections 4-10 of the November 10, 2003 Office Action, the Examiner rejected Claims 1-6, 8-14 and 16-19 under 35 U.S.C. 103(a) as being unpatentable over United States Patent No. 6,587,684 to *Hsu et al.* (hereafter, simply *"Hsu"*) in view of United States Patent No. 6,061,346 to *Nordman* (hereafter, simply *"Nordman"*). In Section 11 of the November 10, 2003 Office Action,

the Examiner rejected Claims 7, 15 and 20 under 35 U.S.C. 103(a) as being unpatentable over *Hsu*

and *Nordman* and further in view of United States Patent No. 6,032,043 to *Houde* (hereafter, simply

"*Houde*").

The Applicant has amended independent Claims 1, 9 and 17 of the present application in

order to more particularly point out and distinctly claim the Applicant's invention. The Applicant

directs the Examiner's attention to Claim 1, which contains the unique and novel limitations

emphasized below:

> 1.   (Currently Amended) For use in a wireless network comprising a plurality of
> base stations, each of said base stations capable of communicating with a plurality of
> mobile stations, a security device capable of preventing an unprovisioned one of said
> plurality of mobile stations from accessing an Internet protocol (IP) data network
> through said wireless network, said security device comprising:
>   a first controller capable of receiving from said unprovisioned mobile station
> an IP data packet comprising an IP packet header and an IP packet payload,
> determining from said IP data packet that said unprovisioned mobile station is
> unprovisioned and, in response to said determination, <u>encrypting at least a portion of
> said IP packet payload to thereby generate an encrypted payload that may be
> decrypted only by a provisioning server of said wireless network</u>. (emphasis added)

The Applicant respectfully asserts that the above-emphasized limitations are not disclosed in the *Hsu*

reference, the *Nordman* reference, or the *Houde* reference, or in any combination of the *Hsu*

reference, the *Nordman* reference, and the *Houde* reference.

The Applicant notes that the Examiner asserted that the *Nordman* reference discloses a

controller that encrypts data packets received from a wireless network. The Examiner asserted that it

would be obvious to one of ordinary skill to combine the *Nordman* method of encryption with the

Hsu reference because the method of encryption provides a secure transmission of packets between a

router and a secure network. Even if true, this statement is irrelevant.

The encryption done in the *Nordman* method is for the <u>benefit</u> of the wireless mobile station. The secure transmission "tunnel" disclosed in *Nordman* performs encryption at the start of the tunnel (SGSN 82) and performs decryption at the end of the tunnel (GGSN 92). This is done only to protect the data packet as it passes through backbone network 46. The decrypted data packet is then passed on to the target server addressed by the wireless mobile station. This does nothing to prevent an unprovisioned mobile station from accessing a target server other than the provisioning server.

In contrast, the present invention encrypts the data packet payload using an encryption algorithm that only the provisioning server can decrypt. If an unprovisioned mobile station attempts to access an unauthorized server by using a different data packet header address, the user will be frustrated because the payload is encrypted. This will effectively block communication between the unprovisioned mobile station and the unauthorized server.

In sum, the Applicant respectfully asserts that the amended Claim 1 contains unique and novel limitations that are not disclosed, suggested or even hinted at in the *Hsu* reference, the *Nordman* reference, or the *Houde* reference, or in any combination of those three references. This being the case, Claim 1 present patentable subject matter over the cited prior art. Also, Claims 2-8 depend from Claim 1 and contain all of the unique and novel limitations recited in Claim 1. This being the case, Claims 2-8 are patentable over the *Hsu*, *Nordman*, and *Houde* references.

The Applicant notes that Claims 9 and 17 contain limitations analogous to the unique and novel limitations recited in Claim 1. This being the case, Claims 9 and 17 present patentable subject

matter over the cited prior art. Also, Claims 10-16, which depend from Claim 9, and Claims 18-20,

which depend from Claim 17, contain all of the unique and novel limitations recited in Claims 9 and

17, respectively. This being the case, Claims 10-16 and 18-20 are patentable over the *Hsu,*

Nordman, and *Houde* references.

SUMMARY

The Applicant respectfully requests reconsideration and allowance of pending claims and that this Application be passed to issue. If any outstanding issues remain, or if the Examiner has any further suggestions for expediting allowance of this Application, the Applicant respectfully invites the Examiner to contact the undersigned at the telephone number indicated below or at *jmockler@davismunck.com*.

The Commissioner is hereby authorized to charge any additional fees connected with this communication or credit any overpayment to Deposit Account No. 50-0208.

Respectfully submitted,

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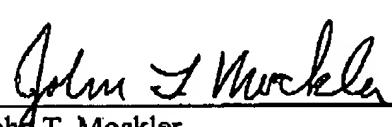
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